

Translation

PATENT COOPERATION TREATY

PCT/EP2003/012486



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

10 JUN 2005

(PCT Article 36 and Rule 70)

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| Applicant's or agent's file reference P035888/WO/1 | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) | |
| International application No. PCT/EP2003/012486 | International filing date (day/month/year) 08 November 2003 (08.11.2003) | Priority date (day/month/year) 11 December 2002 (11.12.2002) |
| International Patent Classification (IPC) or national classification and IPC G08G 1/0962 | | |
| Applicant DAIMLERCHRYSLER AG | | |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 1 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

| | |
|--|--|
| Date of submission of the demand 29 April 2004 (29.04.2004) | Date of completion of this report 22 February 2005 (22.02.2005) |
| Name and mailing address of the IPEA/EP | Authorized officer |
| Facsimile No. | Telephone No. |

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/012486

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages _____ 1-17 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☒ the claims:
 pages _____ 2-18 _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____ 1 _____, filed with the letter of _____ 04 February 2005 (04.02.2005)
- ☒ the drawings:
 pages _____ 1/2-2/2 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

- These elements were available or furnished to this Authority in the following language _____ which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/12486

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|------------|-----|
| Novelty (N) | Claims | 9, 10 | YES |
| | Claims | 1-8, 11-18 | NO |
| Inventive step (IS) | Claims | | YES |
| | Claims | 9, 10 | NO |
| Industrial applicability (IA) | Claims | 1-18 | YES |
| | Claims | | NO |

2. Citations and explanations

Reference is made to the following document:

D1: GB 2 366 055

- Document D1, which is considered to be the prior art closest to the subject matter of claims 1, 17 and 18, discloses the following (the references in parentheses are to D1):

Method for providing information support to a motor vehicle driver by means of an in-vehicle multimedia system (D1, page 1, line 1), comprising an in-vehicle computer and an external computer (D1, figure 1, (22) and 23)) which exchange data at least intermittently via bidirectional communication (D1, figure 1, (14) and 16)),

characterised in that

special memory areas are provided in the in-vehicle computer and the external computer; wherein the contents of the memory areas are characteristic of elements of a set of information which is available to and can be selected by the driver using the in-vehicle multimedia system (D1, page 2, lines 8 to 9; D1, page 8, lines 6 to 7); wherein the contents of these special memory areas are driver-modifiable via an input mode that does

not inhibit driving safety (D1, page 8, lines 9 to 10); wherein the contents of these special memory areas are automatically compared with each other (D1, page 12, lines 20 to 23); and wherein data is not exchanged via bidirectional communication until it has been selected and/or modified by the driver. *(This data can only be multimedia data; the dynamic exchange of information for the purpose of automatic comparison can also take place without selection and/or modification by the driver, as stated in the description (page 11, lines 30 to 35.)*

In D1, "services" are available; for example (page 8, lines 4 to 6), the user can choose from the various possible files or services, and **then** the information is transmitted. The system described in D1 also transmits advertisements (D1, page 11, lines 1 to 8) so that the user can select a new service.

Since these are all technical features of claim 1, the subject matter of claim 1 lacks novelty (PCT Article 33(1)).

Independent claims 17 and 18 relate to a corresponding computer program and computer program product. For the reasons given above, the subject matter of these claims also lacks novelty (PCT Article 33(1)).

Dependent claims 2 to 16 do not contain any features that meet the PCT requirements in respect of novelty and inventive step when combined with the features of any of the back-referenced claims.